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EXAMINER

KEEHN, RICHARD G

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/786,704	Applicant(s) HLASNY ET AL.	
	Examiner Richard G. Keehn	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-20 have been examined and are pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/6/2008 has been entered.

Response to Arguments

2. Applicant's arguments filed 8/6/2008, with respect to the rejection of Claims 1-7 and 11-17 under 35 U.S.C. 102(a), and the rejection of Claims 8-10 and 18-20 under 35 U.S.C. 103(a) have been fully considered but they are not persuasive. Examiner recognizes that limitations of dependent claims have been moved into independent claims. Examiner also respectfully traverses Applicant's arguments indicating the amendments overcome the cited prior art. Specifically, Applicant seeks to distinguish the present invention from the cited prior art, DDen, which relies on *manual* (user interface) configuration *to adapt* the first source-side network adapter, whereas Applicant argues that "the present invention does not require such manual setup." However, independent claims 1 and 11, even as amended, do not overcome even a

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manual (user) setup. The amended limitation reads "... wherein said first source-side network adaptor *is adapted for* indicating ...". The phrase "*is adapted for*" does not distinguish a manual vs. automatic configuration. Furthermore, Examiner does not find support in the specification for automatic adaptation of the first source-side network adaptor. Applicant relied on overcoming the independent claims to render the dependent claims, including those rejected under 35 U.S.C. 103(a), allowable. Since the independent claims are not allowed, the 35 U.S.C. 103(a) rejection of the dependent claims stands as described below. Therefore, the amendments and arguments are non-persuasive.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code 102(a) not included in this action can be found in a prior Office action.
4. Claims 1-7, and 11-17 are rejected under 35 U.S.C. 102(a) as being anticipated by DigitalDeck Incorporated's "DigitalDeck Entertainment Network" (DDen).

As to Claim 1, DDen anticipates a system for adapting one or more legacy entertainment sources for coupling to and remote operation over a network, to provide selected entertainment output of the sources to an output device (DDen User Guide, Page 1-2, along with DDen Installation Guide, page 1 describe a system that adapts one or more legacy entertainment sources for coupling to and remote operation over Ethernet, and providing selected entertainment output of the sources to a legacy output device), the system comprising:

a first source-side network adaptor for coupling a first one of the one or more legacy entertainment sources to the network, said first source-side network adaptor being adapted for receiving first entertainment output of said first legacy entertainment source and forwarding said first entertainment output to the network (DDen User Guide, Page 1-5, first bullet describes sending content from receivers, DVD players, VCR's etc. to the MX1000 which is on the network; Page 1-9 discloses two eDecks, either one may be the first source-side adaptor, and both have legacy sources directly connected to them);

an output-side network adaptor for coupling the output device to the network (DDen User Guide, Page 1-6, describes the eDeck connecting output devices such as television or stereo receiver to the network), and

receiving one or more first commands from a first wireless controller capable of operating said first legacy entertainment source (DDen User Guide, Page 1-7 describes the universal remote control unit capable of communicating with all connected legacy devices), said output-side network adaptor including an output selecting module for selecting said first entertainment output based on said one or more first commands (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX1000, which is based on the output of the remote control unit's first {or any numbered} command.); and

wherein said first source-side network adaptor is adapted for indicating to said output selecting module whether a first condition that said first legacy entertainment

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source is activated by said one or more first commands is true (DDen User Guide, Page 1-6 describes the MX1000 and DigitalDeck Advanced Media manager software that manages communications between eDeck devices. DDen Installation Guide, Pages 6-11 describe configuring the devices into the software such that it can map the devices' addresses. Each eDeck device is programmed into the software and the MX1000 can detect whether or not the eDeck has entertainment data queued up to be transmitted to through it, indicating a "true" condition that data is available).

As to Claim 2, DDen anticipates the system of claim 1, wherein said output-side network adaptor is further adapted for receiving the selected said first entertainment output from the network and providing the selected said first entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck converting the digital entertainment signals from the MX1000 to analog, then outputting said converted signal to legacy output devices).

As to Claim 3, DDen anticipates the system of claim 2, wherein said output selecting module is adapted for selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, and that the source is ready to send indicating the "true" condition, the source data is sent to the output device's eDeck and converted. The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to).

As to Claim 4, DDen anticipates the system of claim 3, wherein said output-side network adaptor is further adapted for receiving one or more other commands from a second wireless controller capable of operating a second one of the legacy entertainment sources (DDen User Guide, Page 1-7 describes the remote control, which is universal and configurable for all legacy devices connected to the network via eDeck units. A user could either use the remote to select a second source, thus providing a second source for remote control, then operate it; or use a redundant remote controller configured the same as the first.),

wherein the system further comprises a second source-side network adaptor for coupling said second legacy entertainment source to the network (DDen User Guide, Page 1-9 illustrates an example of using multiple eDeck units controlling both source and output legacy entertainment devices),

for receiving second entertainment output of said second legacy entertainment source (DDen User Guide, Page 1-10 describes the use of the second source's output, in fact multiple sources),

for forwarding said second entertainment output to the network (DDen User Guide, Page 1-6 describes the conversion of source signals and sending them to the MX1000 on the network), and

for indicating to said output selecting module whether an other condition that said second legacy entertainment source is activated by said one or more other commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, and that the source is ready to send indicating the "true"

condition, the source data is sent to the output device's eDeck and converted. The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to), and wherein said output selecting module is further adapted for selecting said second entertainment output only if said other condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that its data is available).

As to Claim 5, DDen anticipates the system of claim 1, said output selecting module is adapted for selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, the source legacy device's output is read by its eDeck, which communicates to the MX1000 that it has data to be used. Once the MX1000 has determined which output to send and to which device, and that the source is ready to send indicating the "true" condition, the source data is sent to the output device's eDeck and converted. The MX1000 will indicate to the output device's eDeck which output device that eDeck will broadcast to),

the system further comprising a second source-side network adaptor for coupling a second one of the legacy entertainment sources to the network (DDen User Guide, Page 1-9 illustrates an example of using multiple eDeck units controlling both source and output legacy entertainment devices),

said second source-side network adaptor being adapted for receiving second entertainment output of said second legacy entertainment source and indicating to said

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output selecting module whether a second condition that said second legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6 describes the eDeck converting the digital entertainment signals from the MX1000 to analog, which in doing so, indicates the “true” condition),

wherein said output selecting module is adapted for selecting said second entertainment output based on one or more second commands from said wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit's first {or any numbered} command.).

As to Claim 6, DDen anticipates the system of claim 5, wherein said output-side network adaptor is further adapted for receiving the selected said second entertainment output from the network and providing the selected said second entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck receiving entertainment output from the MX1000 on the network, which can accept the output of a second source device through its eDeck, and being capable of selecting the television and/or stereo.).

As to Claim 7, DDen anticipates the system of claim 5, wherein said output selecting module is adapted for selecting said first entertainment output based on one or more first commands from said first wireless controller (DDen User Guide, Page 1-6

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describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX1000, which is based on the output of the remote control unit. This can be the first, second, third, or any numbered command.).

As to Claim 11, DDen anticipates a method for adapting one or more legacy entertainment sources for coupling to and remote operation over a network, to provide selected entertainment output of the sources to an output device (DDen User Guide, Page 1-2, along with DDen Installation Guide, page 1 describe a system that adapts one or more legacy entertainment sources for coupling to and remote operation over Ethernet, and providing selected entertainment output of the sources to a legacy output device), the method comprising:

receiving at a first source-side network adaptor first entertainment output of said first legacy entertainment source and forwarding said first entertainment output to the network (DDen User Guide, Page 1-5, first bullet describes sending content from receivers, DVD players, VCR's etc. to the MX1000 which is on the network; Page 1-9 discloses two eDecks, either one may be the first source-side adaptor, and both have legacy sources directly connected to them);

receiving one or more first commands from a first wireless controller capable of operating said first legacy entertainment source (DDen User Guide, Page 1-7 describes the universal remote control unit capable of communicating with all connected legacy devices);

determining whether a first condition that said first legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6 describes the MX1000 and DigitalDeck Advanced Media manager software that manages communications between eDeck devices. DDen Installation Guide, Pages 6-11 describe configuring the devices into the software such that it can map the devices' addresses. Each eDeck device is programmed into the software and the MX1000 can detect whether or not the eDeck has entertainment data queued up to be transmitted to through it, indicating a "true" condition that data is available.); and

selecting said first entertainment output based on said one or more first commands (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit's first {or any numbered} command.).

As to Claim 12, DDen anticipates the method of claim 11, further comprising receiving the selected said first entertainment output from the network and providing the selected said first entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck converting the digital entertainment signals from the MX1000 to analog, then outputting said converted signal to legacy output devices).

As to Claim 13, DDen anticipates the method of claim 12, further comprising selecting said first entertainment output only if said first condition is true (DDen User

Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that data is available).

As to Claim 14, DDen anticipates the method of claim 13, further comprising: receiving one or more other commands from a second wireless controller capable of operating a second one of the legacy entertainment sources (DDen User Guide, Page 1-7 describes the remote control, which is universal and configurable for all legacy devices connected to the network via eDeck units. A user could either use the remote to select a second source, thus providing a second source for remote control, then operate it; or use a redundant remote controller configured the same as the first.);

receiving second entertainment output of said second legacy entertainment source (DDen User Guide, Page 1-10 describes the use of the second source's output, in fact multiple sources)

and forwarding said second entertainment output to the network (DDen User Guide, Page 1-6 describes the conversion of source signals and sending them to the MX1000 on the network);

determining whether an other condition that said second legacy entertainment source is activated by said one or more other commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, when the source is ready to send its output it indicates the "true" condition); and

selecting said second entertainment output only if said other condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that data is available).

As to Claim 15, DDen anticipates the method of claim 11, further comprising selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that data is avail),

receiving second entertainment output of said second legacy entertainment source (DDen User Guide, Page 1-10 describes the use of the second source's output, in fact multiple sources),

determining whether a second condition that said second legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, when the source is ready to send its output it indicates the "true" condition), and

selecting said second entertainment output based on one or more second commands from said first wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on

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the output of the remote control unit's first {or any numbered} command. The remote control is capable of selecting any source and output destination.).

As to Claim 16, DDen anticipates the method of claim 15, further comprising receiving the selected said second entertainment output from the network and providing the selected said second entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck receiving entertainment output from the MX1000 on the network, and being capable of selecting the television and/or stereo and sending the output to that device. This can be the first, second, third, etc. entertainment output).

As to Claim 17, DDen anticipates the method of claim 15, further comprising selecting said first entertainment output based on one or more first commands from said first wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit. This can be the first, second, third, or any numbered command.).

5. Claims 8-10, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DDen as applied to claims 5 and 15 above, and further in view of Installing and Configuring the Cisco Secure ACS Appliance, posted on the world wide web 06/20/2003, 78-14573-01, page 3-10.

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http://www.cisco.com/univercd/cc/td/doc/product/access/acs_soft/csacsapp/install/installap.htm. (Cisco), and US 4,808,992 (Beyers Jr. et al.).

As to Claim 8, DDen discloses an invention substantially as claimed, including the system of claim 5, wherein said first wireless controller includes an input switch adapted, upon activation by a user thereof, to transmit a power command capable of powering said first and said second legacy entertainment devices on or off (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network. This switch can be used to power up and down any device on the network),

wherein said one or more second commands includes said power command (DDen User Guide, Page 1-7 describes being able to turn on and off devices on the network based on a power command), and

select said second entertainment output (DDen User Guide, Page 1-7 describes being able to select and control devices on the DDen through DigitalDeck menus) and

send said power command to said first source-side network adaptor for blasting to said first legacy entertainment device, for turning off said first legacy entertainment device (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network).

DDen does not disclose, but Cisco discloses an invention substantially as claimed, including wherein said output-side network adaptor is adapted to recognize a duration of said activation (Cisco, the section on "Powering On the Cisco Secure ACS

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Appliance” describes the use of the power switch to turn on and off the appliance such that pressing while OFF will change the state to ON; and pressing while ON will change the state to OFF *only if* the button is pressed and held, implying a minimum duration of time, longer than a standard press operation, to recognize that the appliance is to be turned off) and,

if said duration is within a first predetermined range (Cisco, the section on “Powering On the Cisco Secure ACS Appliance” describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of waiting a predetermined duration of time before turning off a device taught by Cisco, with the method of turning on and off devices on the network by using the power on/off button on the remote control(s) taught by DDen.

One of ordinary skill in the art at the time the invention was made would have been motivated to avoid accidental device shutoffs by ensuring that the off command was intended by the user by sensing the duration of time.

As to Claim 9, the combination of DDen and Cisco discloses an invention substantially as claimed, including claim 8 and said output-side network adaptor is adapted to send said power command (DDen User Guide, page 1-9 describes the method of sending commands from the remote control, through the eDeck, to the MX1000, to another eDeck then to the device), and

legacy entertainment devices (DDen User Guide, page 1-2 describes the connection of legacy entertainment devices onto the DDen), and

for blasting (DDen Installation Guide, page 3, item 6 describes connecting the IR emitters which “blast” infrared control signals to legacy devices), and

source-side network adaptors (DDen User Guide, page 1-5 describes the eDeck, which is a source and destination side network adapter), and

if said duration is within a second predetermined range distinct from said first range (Cisco, the section on “Powering On the Cisco Secure ACS Appliance” describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off).

The combination of DDen and Cisco does not disclose, but Beyers Jr. et al. disclose an invention substantially as claimed, including to said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

to both of said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

for turning off both said first and second [sic] devices (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of turning off multiple devices concurrently taught by Beyers Jr. et al., with the method of turning off legacy entertainment devices on the network based on a predetermined length of OFF signal time taught by the combination of DDen and Cisco.

Although DDen allows you to individually control powering up and down the legacy device adapters, one of ordinary skill in the art at the time the invention was made would have been motivated add the flexibility to turn off all adapters and associated devices concurrently with a single command to expedite the power-down process.

As to Claim 10, the combination of DDen, Cisco and Beyers Jr. et al. discloses an invention substantially as claimed, including the system of claim 9, and

wherein said switch is adapted for activation by pressing said switch, and wherein said first predetermined range corresponds to pressing said switch a short time and wherein said second predetermined range corresponds to pressing said switch a long time (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn ON and OFF the appliance such that

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pressing while OFF will change the state to ON, and pressing while ON will change the state to OFF only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned OFF ,vs. ON).

As to Claim 18, DDen discloses an invention substantially as claimed, including the method of claim 15, wherein said first wireless controller includes an input switch adapted, upon activation by a user thereof, to transmit a power command capable of powering said first and said second legacy entertainment devices on or off (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network. This switch can be used to power up and down any device on the network), and

wherein said one or more second commands includes said power command (DDen User Guide, Page 1-7 describes being able to turn on and off devices on the network based on a power command), and

selecting said second entertainment output (DDen User Guide, Page 1-7 describes being able to select and control devices on the DDen through DigitalDeck menus), and

sending said power command to said first source-side network adaptor for blasting to said first legacy entertainment device, for turning off said first legacy entertainment device (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network).

DDen does not disclose, but Cisco discloses an invention substantially as claimed, including the method further comprising recognizing a duration of said activation (Cisco, the section on “Powering On the Cisco Secure ACS Appliance” describes the use of the power switch to turn on and off the appliance such that pressing while OFF will change the state to ON; and pressing while ON will change the state to OFF *only if* the button is pressed and held, implying a minimum duration of time, longer than a standard press operation, to recognize that the appliance is to be turned off) and,

if said duration is within a first predetermined range (Cisco, the section on “Powering On the Cisco Secure ACS Appliance” describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off),

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of waiting a predetermined duration of time before turning off a device taught by Cisco, with the method of turning on and off devices on the network by using the power on/off button on the remote control(s) taught by DDen.

One of ordinary skill in the art at the time the invention was made would have been motivated to avoid accidental device shutoffs by ensuring that the off command was intended by the user by sensing the duration of time.

As to Claim 19, the combination of DDen and Cisco discloses an invention substantially as claimed, including the method of claim 18, wherein, if said duration is within a second predetermined range distinct from said first range (Cisco, the section on “Powering On the Cisco Secure ACS Appliance” describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off), and

the method further comprises sending said power command to (DDen User Guide, page 1-9 describes the method of sending commands from the remote control, through the eDeck, to the MX1000, to another eDeck then to the device), and

source-side network adaptors (DDen User Guide, page 1-5 describes the eDeck, which is a source and destination side network adapter), and

for blasting (DDen Installation Guide, page 3, item 6 describes connecting the IR emitters which “blast” infrared control signals to legacy devices), and

legacy entertainment devices (DDen User Guide, page 1-2 describes the connection of legacy entertainment devices onto the DDen).

The combination of DDen and Cisco does not disclose, but Beyers Jr. et al. disclose an invention substantially as claimed, including said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

to both of said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

for turning off both said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of turning off multiple devices concurrently taught by Beyers Jr. et al., with the method of turning off legacy entertainment devices on the network based on a predetermined length of OFF signal time taught by the combination of DDen and Cisco.

Although DDen allows you to individually control powering up and down the legacy device adapters, one of ordinary skill in the art at the time the invention was made would have been motivated add the flexibility to turn off all adapters and associated devices concurrently with a single command to expedite the power-down process.

As to Claim 20, the combination of DDen, Cisco and Beyers Jr. et al. discloses an invention substantially as claimed, including the method of claim 19, wherein said switch is adapted for activation by pressing said switch, and wherein said first predetermined range corresponds to pressing said switch a short time and wherein said second predetermined range corresponds to pressing said switch a longer time (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn ON and OFF the appliance such that pressing while OFF will

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change the state to ON, and pressing while ON will change the state to OFF only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned OFF ,vs. ON).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These include:

- Applicant disclosed prior art:
 - a. US 3,922,641 – Automatic Video and Audio Source Selector for Entertainment Center
 - b. US 3,956,591 – Two-Input Automatic Source Selector for Stereo Entertainment Center
 - c. US 6,346,927 B1 – Automatic Video Input Detection / Selection Circuitry for a Monitor with Multiple Video Inputs
 - d. US 2001/0053274 A1 – System and Method for Remote Control of Consumer Electronics Over Data network with Visual Feedback
- US 5,250,989 – describes the limitation of automatically turning off a resource when it is no longer needed. (reads on claims 8 and 18)
- US 2004/0163073 A1 – manages legacy entertainment devices.
- US 2005/0097478 A1 - manages networked legacy entertainment devices.
- US 2004/0255327 A1 - manages networked legacy entertainment devices.
- US 7,242,316 B2 – manages networked legacy entertainment devices.

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- US 2004/0125787 A1 – manages networked legacy entertainment devices.
- US 2004/0125779 A1 – manages networked legacy entertainment devices.
- US 2004/0125777 A1 – manages networked legacy entertainment devices.
- DigitalDeck Inc., website advertisement posted on 02/16/2004, "DigitalDeck Entertainment Network - Watch what you want, when you want, where you want it", pages 1 and 2. – demonstrates primary reference was know to the public prior to applicant's filing date.
- Sandy and Dave's Report on The Broadband Home, December 14, 2003, System Dynamics, Inc., pages 1-3. – demonstrates primary reference was known to the public prior to applicant's filing date.
- Findarticles.com article posted December 8, 2003 announces DigitalDeck Entertainment Network product unveiling on January 8-11, 2004 at CES tradeshow. pages 1-3. – demonstrates primary reference was known to the public prior to applicant's filing date.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Keehn whose telephone number is 571-270-5007. The examiner can normally be reached on Monday through Thursday, 9:00am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RGK

/Kenny S Lin/

Primary Examiner, Art Unit 2152